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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/453,918	04/27/2000	Hwa Kyung Lee	Q58987	1307

7590 06/28/2004

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EXAMINER

LIN, KENNY S

ART UNIT PAPER NUMBER

2154

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Advisory Action**

Application No.

09/453,918

Applicant(s)

LEE ET AL.

Examiner

Kenny Lin

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 May 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: none.Claim(s) objected to: none.Claim(s) rejected: 2-14.Claim(s) withdrawn from consideration: none.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☒ Other: see other sheet

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*Advisory Action*

*Response to Amendment*

1. The request for reconsideration has been entered and considered but does not overcome the rejection because:

- a. In the remark, applicant argued: (1) Kotola does not teach or suggest the limitations where says “interpreting data inputted though the internet and displaying the inputted data on a screen of the wireless internet access terminal, said data including plural objects that are each linked to predetermined resource location information.”. (2), the information that is returned in Kotola is merely a text message. (3) Kraft does not teaches or suggests the steps of “displaying plural execution items sequentially one by one by displaying one of the plural execution items of the focused object on one screen and executing an execution item displayed on the present screen by inputs from a button”. (4), The displaying of items taught by Kraft is displaying the items on the second display part of the screen, not displaying on one screen.

2. Examiner traverse the argument that:

As to point (1), Kotola teaches to interpreting data inputted through the internet and displaying the inputted data on a screen of the wireless internet access terminal (col.2, lines 32-37 states converting a relevant part of the content of WWW page – interpreting data inputted, and displaying the contents on the display of the mobile station – displaying inputted data on screen of wireless internet access terminal, col.3, lines 17-32, 59-65 further stated obtaining data from

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WWW page), said data including plural objects that are each linked to predetermined resource access location information (col.3, lines 24-32 stated that short message containing keywords link to WWW pages, col.7, lines 4-14).

As to point (2), Kotola teaches that the short message can contain keywords that link to WWW pages (col.3, lines 24-32). Therefore, providing the same function as having plural objects (keywords) each linked to a predetermined resource access location information (WWW pages).

As to point (3), In response to applicant's argument that examiner fails to provide reasonable suggestion or motivation, absent impermissible hindsight for combining the reference of Kotola and Kraft, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985). In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Kraft taught a data entry method to focusing (highlight) any one of plural objects (fig. 6, col.1, lines 20-27, 30-36) and to display plural execution items sequentially one by one by displaying

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one of the plural execution items of the focused object on one screen (abstract, col.1, lines 20-27, 30-36, 52-59, figs. 3-5, rolling roller wheel to display highlighted item) and executing an execution item displayed on the present screen by inputs from a button (fig. 6, col.1, lines 52-59, col.2, lines 28-41, col.3, lines 35-40, press a single button to execute the highlighted item, col.12, lines 63-65, item includes calculation). One would have been motivated to adapt Kraft's teaching of displaying plural execution items to implement said calculator functions in their mobile phone systems using such displaying and item focus method (col.12, lines 28-67, the executable mathematical functions are displayed on the screen one by one in sequence, fig.5). One would have also been motivated to use Kraft's displaying method since it supports complex signs displaying that includes said Chinese characters or so on (col.3, lines 11-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Kotola and Kraft because Kraft's teaching of displaying plural execution items sequentially one by one provides an organized screen display and allows user to easily view and pick the desire objects which includes complex signs or characters (col.1, lines 20-27, 30-36).

As to point (4), although the display of items taught by Kraft is displaying on a second display part of the screen (dedicated a portion of the whole screen to display items), it is still being displayed on the screen of the mobile station (mobile station contains only one screen). Hence, Kraft's teaching reads on the claim language as claimed.



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